

ELEMENT 2

The process for incorporating elements of any applicable area-wide waste treatment plans under section 208 and applicable basin plans under section 209

***Summary** – The Water Pollution Control Program conducts and coordinates various planning activities and programs initially prescribed by the Clean Water Act under Sections 208 and 209. Under Section 208 planning authority states have designated area-wide waste treatment management planning agencies and have developed plans that include the identification and construction of treatment works needed to meet municipal and industrial needs for a design period of at least 20 years. The original continuing planning process under Section 208 is largely replaced by the Clean Water Act (the Act) Section 201 facility planning effort. The U.S. Environmental Protection Agency has indicated that it will not be making further designations under Section 208. The continuing planning process and any continuing authority issues are resolved through the program's permit regulation processes requiring Section 208 designated facilities to receive wastewater treatment permits first. With regard to funding, public entities, whether they are designated 208 authorities or as other entities, can take advantage of the public funding and financing for regional wastewater treatment facilities. The state's delegated funding authority under the Clean Water State Revolving Fund for project loans and grants for area-wide waste treatment is intended to encourage districts and communities to design and build wastewater treatment collection systems.*

The Water Pollution Control Program basin planning effort under Section 209 identifies all wastewater treatment collection systems for permitted facilities in metropolitan and outlying areas and the affected stream reaches in each basin. The continuing planning process effort for basin planning provides the department with data that is essential to policy development and operating processes. The continual updating of basin plans, all of which are scheduled to be made electronically available on the department's Web site, is one of the department's many ongoing planning activities.

Sections 208 and 209 of the Clean Water Act

The Missouri Clean Water Commission establishes rules and regulations and develops comprehensive plans and programs for the prevention, control and abatement of new and/or existing water pollution. The Missouri Department of Natural Resources' Water Pollution Control Program conducts and coordinates various planning programs initially prescribed by the Clean Water Act under Sections 208 and 209. These programs continue as part of the continuing planning process mandated under Section 303(e), first required under the enactment of the Clean Water Act, (entitled the Federal Water Pollution Control Act) in 1972.

The Clean Water Act was amended in 1977, 1987 and 1992. Under Section 208, area-wide waste treatment management, and Section 209, basin planning, state and federal management provides for the management of areas having urban-industrial concentrations, as well as contributing factors that produce substantial water quality control problems.

Section 208: Area-wide Waste Treatment Planning

Under section 208, states were required to designate area-wide waste treatment management planning agencies and develop plans that include the identification and construction of treatment works needed to meet municipal and industrial needs for a design period of at least 20 years. Original 208 Water Quality Plans concluded that sewage effluents from residences and businesses should be controlled and prevented from polluting streams and aquifers. These plans recognized that the watershed and sub-watershed are the primary planning geography for managing wastewater and storm water flows. Missouri's Water Quality Planning was completed and certified as required. Public participation was a basic element of the state's original 208 planning process. The Department of Natural Resources entered into coordination contracts with East-West Gateway Coordinating Council, Mid-America Regional Council (MARC) and Ozark Gateway Council of Governments (OGCOG).

In 1979, when the first state's Water Quality Management Plan was completed, it was based on areas identified as having specific problems due to point and nonpoint pollution; 1) City of St. Louis; Franklin, Jefferson, St. Charles and St. Louis counties, 2) Jackson, Cass, Clay, Platte and Ray counties, and 3) portions of Newton and Jasper counties. There have been several updates to the first water quality management plans for each of these areas.

Planning boundaries involved the lower Missouri River Basin, the upper Mississippi River Basin and lower Mississippi River Basin. These were and are major drainage areas for the entire state. These watersheds or drainage areas are divided into eight basins. The basins are divided based on hydrological characteristics.

The Missouri Water Quality Management Plan of 1979 marked the beginning of area-wide waste treatment throughout Missouri.

Section 209: Basin Planning

Under the Clean Water Act section 209 basin planning effort Missouri has in the past and attempts today to identify all private and industrial wastewater treatment collection facilities in metropolitan areas recommending their incorporation into public systems. Public systems are therefore known as section 201 facility planning areas for municipal dischargers. Nonmunicipal dischargers are also identified in basin plans. All dischargers were originally compiled into basin plans together with the specific effluent(s) discharged and the severity of the pollution problem(s) existing at that time.

The Water Quality Management Plans were completed in 1979, providing a basis for the state water pollution control program operations and decisions. Section 201 delineations, treatment plant regionalization orders, construction grant awards and permit limits were based on the basin planning efforts (Missouri Water Quality Management Plan, 1979).

In 1979, basin planning focused on Missouri's significant discharges and affected stream reaches. Current information available from the continually updated and expanded basin plans for the water quality of Missouri streams is collected, analyzed and eventually published every two years in Missouri's Water Quality Report, which is prepared in accordance with Section 305(b) of the Clean Water Act.

Some Water Pollution Control Program activities under sections 208 and 209 for 2000 and beyond include the administration of the municipal wastewater treatment collection facilities, the issuance of permits under the National Pollutant Discharge Elimination System, the monitoring both of effluent discharges and ambient water quality, and assistance in the training and certification of wastewater treatment operators.

As federal funding for section 208 planning has been phased out, planning activities have continued under the Clean Water Act Section 201 facility planning effort. While Section 209 basin planning authority has allowed the department to continue its basin planning and to continue making the individual basin plans available to the public on the department's Web site.

References

- Clean Water Act 1977 (as amended 1992), Section 303(d)(4) Water Quality Standards & Implementation Plans, Continuing Planning Process, (B) "the incorporation of all elements of any applicable area wide waste treatment management plans under Section 208 and applicable basin plans under Section 209."
- Missouri Clean Water Law , Section 644.116 Rules and Regulations of CWC for Wastewater Projects Missouri Clean Water Law.
- Missouri Clean Water Law, Section 644.141 1.A Planning Authority and 1.B Management Authority, 1.C Interstate Agencies, 1.D Termination of Authority. Continuous basin planning updates provide information for the Water Quality Reports to Congress under Section 305(b) biannual reporting requirements.
- Department of Natural Resources rules, Division 20, Clean Water Commission: Chapter 6, Permits, Construction and Operating Permits, 10 CSR 20-6.010 and No-Discharge Permits 6.015, and Fees 10 CSR 20-6.011; Chapter 4 Grants; Chapter 7 Water Quality Standards; Chapter 8 Design Guides; Chapter 9 Treatment Plant Operations.
- Department of Natural Resources Web site <http://www.dnr.state.mo.us>.